

****Draft / Subject to further government review**

**REMEDIAL DESIGN
STATEMENT OF WORK
LEY CREEK DEFERRED MEDIA PORTION OF
GENERAL MOTORS-INLAND FISHER GUIDE SUBSITE
ONONDAGA LAKE SUPERFUND SITE
Town of Salina, Onondaga County, State of New York
EPA Region 2
April 2021**

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1. INTRODUCTION

1.1 Purpose of the Statement of Work. This Statement of Work (“SOW”) sets forth the procedures and requirements for implementing the Work at the Ley Creek Deferred Media (“LCDM”) portion of the General Motors–Inland Fisher Guide Subsite of the Onondaga Lake Superfund Site.

Commented [SV1]: LCDM is defined in the AOC. It should not include a separate NCA. The floodplain areas included within LCDM increased during the PDI when additional floodplain was found to be contaminated. Regardless of size, contaminated floodplain in this area is considered part of the LCDM site -- it has just changed in shape and size due to the PDI.

1.2 Structure of the Statement of Work.

- Section [REF_Ref381707995 \r \h] (Community Involvement) sets forth the U.S. Environmental Protection Agency’s (“EPA’s”) and Respondent’s responsibilities for community involvement.
- Section [REF_Ref367453630 \r \h] (Remedial Design) sets forth the process for developing the Remedial Design (“RD”), which includes the submission of specified primary deliverables.
- Section [REF_Ref443913526 \r \h] (Reporting) sets forth Respondent’s reporting obligations.
- Section [REF_Ref322533247 \r \h] (Deliverables) describes the content of the supporting deliverables and the general requirements regarding Respondent’s submission of, and EPA’s review of, approval of, comment on, and/or modification of, the deliverables.
- Section [REF_Ref319683735 \r \h] (Schedules) sets forth the schedule for submitting the primary deliverables, specifies the supporting deliverables that must accompany each primary deliverable, and sets forth the schedule of milestones regarding the completion of the RD.
- Section [REF_Ref367451471 \r \h] (State and Onondaga Nation Participation) addresses State and Onondaga Nation participation.
- Section [REF_Ref367104374 \r \h] (References) provides a list of references, including any applicable Uniform Resource Locator or “URL.”

1.3 The terms used in this SOW that are defined in the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. §9601 *et seq.* (“CERCLA”), in regulations promulgated under CERCLA, or in the Administrative Settlement Agreement and Order on Consent (“Settlement”), have the meanings assigned to them in CERCLA, in such regulations, or in the Settlement, except that the term “Paragraph” or “¶” means a paragraph of the SOW, and the term “Section” means a section of the SOW, unless otherwise stated.

2. COMMUNITY INVOLVEMENT

2.1 Community Involvement Responsibilities

EPA has the lead responsibility for developing and implementing community involvement activities at LCDM. EPA has already developed a joint communications/outreach plan for the RD/remedial action (“RA”) for both LCDM and the Lower Ley Creek Subsite of the Onondaga Lake Site (“RD/RA Communications and

Outreach Plan”; USEPA 2020). Pursuant to 40 C.F.R. § 300.435(c), EPA shall review the RD/RA Communications and Outreach Plan and determine whether it should be revised to describe further public involvement activities during the Work that are not already addressed or provided for in the plan.

- (a) If requested by EPA, Respondent shall participate in community involvement activities, including participation in: (1) the preparation of information regarding the Work for dissemination to the public, with consideration given to including mass media and/or Internet notification; and (2) public meetings that may be held or sponsored by EPA to explain activities at or relating to LCDM. Respondent’s support of EPA’s community involvement activities may include providing online access to initial submissions and updates of deliverables to any Community Advisory Groups and other entities to provide them with a reasonable opportunity for review and comment. EPA may describe in its RD/RA Communications and Outreach Plan Respondent’s responsibilities for community involvement activities. All community involvement activities Respondent conducts at EPA’s request are subject to EPA’s oversight.
- (b) **Respondent’s Community Involvement Coordinator.** If requested by EPA, Respondent shall, within fifteen (15) days, designate and notify EPA of Respondent’s Community Involvement Coordinator (“Respondent’s CI Coordinator”). Respondent may hire a contractor for this purpose. Respondent’s notice must include the name, title, and qualifications of Respondent’s CI Coordinator. Respondent’s CI Coordinator is responsible for providing support regarding EPA’s community involvement activities, including coordinating with EPA’s Community Involvement Coordinator regarding responses to the public’s inquiries about LCDM.

3. REMEDIAL DESIGN

3.1 **Pre-Design Investigation.** The purpose of the Pre-Design Investigation (“PDI”) is to address data gaps by conducting additional field investigations.

- (a) **PDI Work Plans.** Respondent submitted a PDI Work Plan (“PDIWP”) on July 3, 2013 for New York State Department of Environmental Conservation (“NYSDEC”) approval (OBG 2013). Respondent submitted PDIWP Addendum #1 on August 17, 2015 (OBG 2015). Respondent revised PDIWP Addendum #1 to address NYSDEC comments and submitted a revised Addendum #1 on November 5, 2015. Respondent submitted PDIWP Addendum #2 on March 23, 2016 and revised such Addendum on July 15, 2016 (OBG 2016a). NYSDEC approved the PDIWP and the associated Addendums on July 31, 2013, November 30, 2015, and July 25, 2016, respectively. Respondent submitted three Supplemental PDI Work Plans on June 2, 2020: a Geotechnical Borings workplan, Surveying and Delineation workplan, and Additional Floodplain Sampling workplan. The Surveying and Delineation workplan was approved by NYSDEC on June 24, 2020. The Additional Floodplain Sampling workplan was approved by NYSDEC on August 18, 2020. The surveying and delineation and

additional floodplain sampling were completed in 2020 and the results incorporated in the Focused Feasibility Study.

- (b) It is expected that the geotechnical borings identified in 2020 focused on the Cambridge Avenue portion of Ley Creek will be completed during the Remedial Action for LCDM prior to the performance of work on the Cambridge Avenue properties.
- (c) The PDIWP, PDIWP addendums, and supplemental work plans are included as Attachment A to this SOW.

3.2 Focused Feasibility Study. Using data obtained during the PDI, on January 25, 2021, Respondent submitted to EPA a preliminary draft Focused Feasibility Study (“FFS”) Report that compares the remedy for the floodplain soils of LCDM selected in the 2015 Record of Decision for LCDM (“ROD”) to other potential remedial alternatives. Respondent shall submit a revised draft FFS Report that incorporates EPA comments on the preliminary draft FFS Report. A final FFS Report will be submitted following the revised draft FFS Report.

3.3 RD Work Plan. Respondent submitted an RD Work Plan (“RDWP”) for NYSDEC approval on January 6, 2016 and a Revised RDWP on June 1, 2016 (OBG 2016b). The RDWP is divided into two parts – RD Package 1, which focused on the RD for the National Grid Wetland and Factory Avenue areas, and RD Package 2, which addresses the RD associated with the ROD-identified and then-known floodplain soils and sediments.

3.4 Pre-Final (95%) Remedial Design for Ley Creek Floodplain Soils and Sediments. Respondent submitted a Preliminary (50%) RD for the Ley Creek floodplain soils and sediments for NYSDEC’s approval on July 18, 2017, as part of RD Package 2 (OBG 2017). Respondent’s PDI activities associated with this effort identified additional impacted floodplain soils. NYSDEC provided comments to Respondent on December 21, 2017, directing Respondent to address such comments as part of the Pre-Final (95%) RD. Therefore, Respondent shall submit a Pre-Final (95%) RD for EPA’s review that incorporates the data obtained from recent PDI activities performed under the Supplemental PDI Work Plans and addresses the NYSDEC comments on the 2017 Preliminary (50%) RD submission. The Pre-Final (95%) RD will serve as the approved Final (100%) RD if EPA approves the Pre-Final RD without comments. The Pre-Final (95%) RD shall include:

- (a) A summary of the investigations performed;
- (b) A summary of investigation results;
- (c) A summary of validated data (*i.e.*, tables and graphics);
- (d) Data validation reports and laboratory data reports;
- (e) A narrative interpretation of data and results;

- (f) Results of statistical and modeling analyses;
- (g) Photographs documenting the work conducted;
- (h) Conclusions and recommendations for RD, including design parameters and criteria.
- (i) A design criteria report, as described in the *Remedial Design/Remedial Action Handbook*, EPA 540/R-95/059 (June 1995);
- (j) Descriptions of permit requirements, if applicable;
- (k) A description of how the RA will be implemented in a manner that minimizes environmental impacts in accordance with EPA's *Principles for Greener Cleanups* (Aug. 2009) and EPA Region 2's Clean and Green Policy (https://www.epa.gov/sites/production/files/2016-01/documents/r2_clean_and_green_update.pdf);
- (l) A description of monitoring and control measures to protect human health and the environment, such as air monitoring and dust suppression, to be taken during the RA;
- (m) A complete set of construction drawings and specifications that: (1) are certified by a registered professional engineer; (2) are suitable for procurement; and (3) follow the Construction Specifications Institute's MasterFormat 2018 Edition ([HYPERLINK "<https://www.csiresources.org/standards/masterformat>"]);
- (n) A survey and engineering drawings showing existing LCDM features, such as elements, property borders, easements, and LCDM conditions;
- (o) A specification for photographic documentation of the RA;
- (p) Pre-final versions of the same elements and deliverables as are required for the Preliminary (50%) RD including additional detail regarding the following:
 - (1) transportation and disposal of excavated material;
 - (2) water management (groundwater and Ley Creek flow);
 - (3) erosion and sediment control; and
 - (4) performance of work in close proximity to existing utilities.
- (q) The following documents described in ¶ 5.7, Supporting Deliverables, will be submitted for review concurrent with the Pre-Final (95%) RD:
 - (1) Construction Quality Assurance/Quality Control Plan ("CQAP/CQCP");
 - (2) Transportation and Non-Local Disposal Plan ("TDP"); and

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(3) O&M Plan; O&M Manual.

- 3.5 Final (100%) RD.** Respondent shall submit the Final (100%) RD for EPA approval. The Final RD must address EPA's comments on the Pre-Final (95%) RD and must include final versions of all Pre-Final (95%) RD deliverables and supporting deliverables.
- 3.6 Meetings.** Respondent shall meet regularly with EPA to discuss design issues, as necessary, as directed or determined by EPA.
- 3.7 Notice of Work Completion**
- (a) When EPA determines, after EPA's review of the Final 100% RD under ¶ [REF _Ref439923419 \r \h], that all Work has been fully performed in accordance with the Settlement, with the exception of any continuing obligations as provided in ¶ [REF _Ref442714056 \r \h][REF _Ref442714035 \r \h], EPA will provide written notice to Respondent.
 - (b) If EPA determines that Respondent has not completed any such Work in accordance with this Settlement, EPA will notify Respondent, provide a list of the deficiencies, and require that Respondent modify the RDWP, if appropriate, to correct such deficiencies. Respondent shall implement any such modified and approved RDWP and shall complete the necessary work. If Respondent has completed all Work in accordance with this Settlement, EPA will issue a Notice of Work Completion.
 - (c) Issuance of the Notice of Work Completion does not affect the following continuing obligations: (1) obligations under Sections [VIII] (Property Requirements), [IX] (Access to Information), and [X] (Record Retention of the Settlement; and (2) reimbursement of EPA's Future Response Costs under Section [XII] (Payment of Response Costs) of the Settlement.

4. REPORTING

- 4.1 Progress Reports.** Commencing with the month following the effective date of the Settlement and until issuance of Notice of Work Completion pursuant to ¶ 3.9, unless otherwise directed in writing by EPA's Project Coordinator, Respondent shall submit progress reports to EPA on a monthly basis by the fifteenth (15th) day of each month. The reports must cover all activities that took place during the prior reporting period, including:
- (a) The actions that Respondent has taken toward achieving compliance with the Settlement;
 - (b) A summary of all validated results of sampling, tests, and all other data that Respondent received or generated that became available in the prior reporting period;
 - (c) A description of all deliverables that Respondent submitted to EPA;

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- (d) A description of all activities scheduled for the next six (6) weeks;
- (e) Information regarding percentage of completion, unresolved delays encountered or anticipated that may affect the future schedule for implementation of the Work, and a description of efforts made to mitigate those delays or anticipated delays;
- (f) A description of any modifications to the work plans or other schedules that Respondent has proposed or that EPA has approved; and
- (g) A description of all activities Respondent undertook in support of the RD/RA Communications and Outreach Plan during the reporting period and those Respondent will undertake in the next six (6) weeks.

4.2 Notice of Progress Report Schedule Changes. If the schedule for any activity described in the Progress Reports, including activities required to be described under ¶ [REF _Ref322611383 \r \h], changes, Respondent shall notify EPA of such change at least seven (7) days before performance of the activity.

5. DELIVERABLES

5.1 Applicability. Respondent shall submit deliverables for EPA approval or for EPA comment as specified in the SOW. If neither EPA approval nor comment is specified for a particular deliverable, the deliverable does not require EPA's approval or comment. Paragraphs [REF _Ref397591332 \r \h] (In Writing) through [REF _Ref397591339 \r \h] (Technical Specifications) apply to all deliverables. Paragraph [REF _Ref322533252 \r \h] (Approval of Deliverables) applies to any deliverable that is required to be submitted for EPA approval under the express terms of the SOW.

5.2 In Writing. All deliverables under this SOW must be in writing unless otherwise specified.

5.3 General Requirements for Deliverables

- (a) Except as otherwise provided in this SOW, Respondent shall direct all deliverables required by this SOW to the EPA Project Coordinator at Victoria Paris Sacks, U.S. Environmental Protection Agency, 290 Broadway, 19th Floor, New York, New York 10007, (212) 637-4297, or [HYPERLINK "mailto:sacks.victoria@epa.gov"].
- (b) All deliverables provided to the State in accordance with **Section** [REF _Ref367451471 \r \h] (State and Onondaga Nation Participation) shall be directed to Jacky Luo, New York State Department of Environmental Conservation, 625 Broadway, 12th Floor, Albany, New York 12233, jacky.luo@dec.ny.gov.
- (c) All deliverables must be submitted by the deadlines in the RD Schedule, as applicable. Respondent shall submit all deliverables to EPA in electronic form. Technical specifications for sampling and monitoring data and spatial data are

addressed in ¶ [REF _Ref397591339 \r \h * MERGEFORMAT]. All other deliverables shall be submitted to EPA in the electronic form specified by the EPA Project Coordinator. If any deliverable includes maps, drawings, or other exhibits that are larger than 8.5” by 11”, Respondent shall also provide EPA with paper copies of such exhibits.

5.4 Technical Specifications

- (a) Sampling and monitoring data should be submitted in standard regional Electronic Data Deliverable (“EDD”) format. Region 2 EPA uses EDP version 7 and EDD format version 4. Other delivery methods may be allowed if electronic direct submission presents a significant burden or as technology changes.
- (b) Spatial data, including spatially-referenced data and geospatial data, should be submitted: (1) in the ESRI File Geodatabase format; and (2) as unprojected geographic coordinates in decimal degree format using North American Datum 1983 (NAD83) or World Geodetic System 1984 (WGS84) as the datum. If applicable, submissions should include the collection method(s). Projected coordinates may optionally be included but must be documented. Spatial data should be accompanied by metadata, and such metadata should be compliant with the Federal Geographic Data Committee (“FGDC”) Content Standard for Digital Geospatial Metadata and its EPA profile, the EPA Geospatial Metadata Technical Specification. An add-on metadata editor for ESRI software, the EPA Metadata Editor (EME), complies with these FGDC and EPA metadata requirements and is available at [HYPERLINK "https://www.epa.gov/geospatial/epa-metadata-editor"].
- (c) Each file must include an attribute name for each unit or sub-unit submitted. Consult [HYPERLINK "https://www.epa.gov/geospatial/geospatial-policies-and-standards"] for any further available guidance on attribute identification and naming.
- (d) Spatial data submitted by Respondent does not, and is not intended to, define the boundaries of the LCDM.

5.5 Certification. The final design must be stamped by a New York State Professional Engineer, and must contain the following statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

5.6 Approval of Deliverables

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(a) **Initial Submissions**

- (1) After review of any deliverable that is required to be submitted for EPA approval under the Settlement or the SOW, EPA shall: (i) approve, in whole or in part, the submission; (ii) approve the submission upon specified conditions; (iii) disapprove, in whole or in part, the submission; or (iv) any combination of the foregoing.
- (2) EPA also may modify the initial submission to cure deficiencies in the submission if: (i) EPA determines that disapproving the submission and awaiting a resubmission would cause substantial disruption to the Work; or (ii) previous submission(s) have been disapproved because of material defects and the deficiencies in the initial submission under consideration indicate a bad faith lack of effort to submit an acceptable deliverable.

- (b) **Resubmissions.** Upon receipt of a notice of disapproval under ¶ [REF _Ref322533256 \w \h], or if required by a notice of approval upon specified conditions under ¶ [REF _Ref322533256 \w \h], Respondent shall, within forty-five (45) days or such longer time as specified by EPA in such notice, correct the deficiencies and resubmit the deliverable for approval. After review of the resubmitted deliverable, EPA may: (1) approve, in whole or in part, the resubmission; (2) approve the resubmission upon specified conditions; (3) modify the resubmission; (4) disapprove, in whole or in part, the resubmission, requiring Respondent to correct the deficiencies; or (5) any combination of the foregoing.

- (c) **Implementation.** Upon approval, approval upon conditions, or modification by EPA under ¶ [REF _Ref322533256 \w \h] or ¶ [REF _Ref322533499 \w \h] of any deliverable or any portion thereof: (1) such deliverable, or portion thereof, will be incorporated into and enforceable under the Settlement; and (2) Respondent shall take any action required by such deliverable, or portion thereof. The implementation of any non-deficient portion of a deliverable submitted or resubmitted under ¶ [REF _Ref322533256 \w \h] or ¶ [REF _Ref322533499 \w \h] does not relieve Respondent of any liability for stipulated penalties under Section [XV] (Stipulated Penalties) of the Settlement.

- 5.7 **Supporting Deliverables.** Respondent shall submit each of the following supporting deliverables for EPA approval, except as specifically provided. Respondent shall develop the deliverables in accordance with all applicable regulations, guidances, and policies (see Section [REF _Ref367104374 \w \h] (References)). Respondent shall update each of these supporting deliverables as necessary or appropriate during the course of the Work, and/or as requested by EPA.

~~THE DELIVERABLES SET FORTH IN 5.7(d) THROUGH 5.7(i) ALL PERTAIN TO THE REMEDIAL ACTION, I.E., TO ACTIVITIES THAT FOLLOW APPROVAL OF THE RD. WE FEEL THAT THESE SHOULD NOT BE INCLUDED IN THIS AOC SINCE OUR UNDERSTANDING OF ITS SCOPE IS~~

THAT IT RUNS ONLY THROUGH RD APPROVAL — AND THAT OTHER PARTIES ARE TO PERFORM RA.]

Commented [SV2]: The plans are meant for the RA, but are typically prepared in the RD, to ensure that the RA is carried out consistent with the intent of the RD. EPA has removed the SMP and ICLAP from the RD SOW and will include in the RA. The CQAP/CQCP, TDP, and O&M plan/manual will be completed during the RD.

- (a) **Construction Quality Assurance Plan/Construction Quality Control Plan (“CQAP/CQCP”).** The purpose of the CQAP is to describe planned and systemic activities that provide confidence that the RA implementation will satisfy all plans, specifications, and related requirements, including quality objectives. The purpose of the CQCP is to describe the activities to verify that RA implementation has satisfied all plans, specifications, and related requirements, including quality objectives. The CQAP/CQCP must:
- (1) Identify, and describe the responsibilities of, the organizations and personnel implementing the CQAP/CQCP;
 - (2) Describe the PS required to be met to achieve Completion of the RA;
 - (3) Describe the activities to be performed: (i) to provide confidence that PS will be met; and (ii) to determine whether PS have been met;
 - (4) Describe verification activities, such as inspections, sampling, testing, monitoring, and production controls, under the CQAP/CQCP;
 - (5) Describe industry standards and technical specifications used in implementing the CQAP/CQCP;
 - (6) Describe procedures for tracking construction deficiencies from identification through corrective action;
 - (7) Describe procedures for documenting all CQAP/CQCP activities; and
 - (8) Describe procedures for retention of documents and for final storage of documents.
- (b) **Transportation and Non-Local Disposal Plan (“TDP”).** The TDP describes plans for the transportation and disposal of Waste Material to be generated during the remedial action. The TDP must include:
- (1) Proposed routes for off-site shipment of Waste Material;
 - (2) Identification of communities affected by shipment of Waste Material; and
 - (3) Description of plans to minimize impacts on affected communities.
- (c) **Operation & Maintenance (“O&M”) Plan.** The O&M Plan describes the requirements for inspecting and maintaining the RA. Respondent shall develop the draft O&M Plan in accordance with *Guidance for Management of Superfund Remedies in Post Construction*, OLEM 9200.3-105 (Feb. 2017). The O&M Plan must include the following additional requirements:

- (1) A description of PS required to be met to implement the ROD;
 - (2) A description of activities to be performed: (i) to provide confidence that PS will be met; and (ii) to determine whether PS have been met;
 - (3) A description of records and reports that will be generated during O&M, such as daily operating logs, laboratory records, records of operating costs, reports regarding emergencies, personnel and maintenance records, monitoring reports, and monthly and annual reports to EPA and State agencies;
 - (4) A description of corrective action in case of systems failure, including: (i) alternative procedures to prevent the release or threatened release of Waste Material which may endanger public health and the environment or may cause a failure to achieve PS; (ii) analysis of vulnerability and additional resource requirements should a failure occur; (iii) notification and reporting requirements should O&M systems fail or be in danger of imminent failure; and (iv) community notification requirements; and
 - (5) A description of corrective action to be implemented in the event that PS are not achieved, and a schedule for implementing these corrective actions.
- (d) **O&M Manual.** The O&M Manual serves as a guide to the purpose and function of the equipment and systems that make up the remedy. Respondent shall develop the draft O&M Manual in accordance with *Guidance for Management of Superfund Remedies in Post Construction*, OLEM 9200.3-105 (Feb. 2017).

6. SCHEDULES

- 6.1 Applicability and Revisions.** Respondent must submit or complete all deliverables and tasks required under this SOW by the deadlines listed in the RD Schedule set forth below. Respondent may submit proposed revised RD Schedules for EPA approval. Upon EPA's approval, the revised RD Schedules supersede the RD Schedule set forth below, and any previously approved RD Schedules.

6.2 RD Schedule

	Description of Deliverable, Task	Supporting Deliverable	¶ Ref .	Submittal Date/Deadline
1	Revised Draft FFS Report		[REF _Ref 4701 5639 \\r \\h * MER GEF ORM AT]	Thirty (30) days after receipt of EPA comments on the Preliminary Draft FFS Report (submitted to RACER on March 15, 2021) or thirty (30) days after the effective date of this Administrative Order on Consent, whichever is later.
2	Final FFS Report		[REF _Ref 3238 9471 7 \\r \\h * MER GEF ORM AT]	Thirty (30) days after receipt of EPA comments on the Revised Draft FFS Report.
3	Pre-final (95%) RD	Pre-final (95%) CQAP/CQCP, TDP, O&M Plan, and O&M Manual	[REF _Ref 6885 7229 \\r \\h]	Sixty (60) days after receipt of written notification from EPA that the remedy for the Ley Creek floodplain soils portion of the ROD has been modified.
4	Final (100%) RD	CQAP/CQCP, TDP, O&M Plan, and O&M Manual	[REF _Ref 6885 7244 \\r \\h]	Sixty (60) days after receipt of EPA comments on Pre-Final (95%) RD.

7. STATE AND ONONDAGA NATION PARTICIPATION

- 7.1 **Copies.** Respondent shall, at any time it sends a deliverable to EPA, send a copy of such deliverable to the State for its review. EPA shall send a copy of such deliverable to the Onondaga Nation. EPA shall, at any time it sends a notice, authorization, approval, or

disapproval to Respondent, send a copy of such document to the State and to the Onondaga Nation.

7.2 Review and Comment. The State and the Onondaga Nation will have a reasonable opportunity for review and comment prior to:

- (a) Any EPA approval or disapproval under ¶ [REF _Ref322533252 \r \h] (Approval of Deliverables) of any deliverables that are required to be submitted for EPA approval; and
- (b) Any disapproval of, or Notice of Work Completion under, ¶ [REF _Ref440355485 \r \h] (Notice of Work Completion).

8. REFERENCES

8.1 The following regulations and guidance documents, among others, apply to the Work. Any item for which a specific URL is not provided below is available on one of the two EPA Web pages listed in ¶ [REF _Ref397961018 \r \h]: ~~[NOT ESSENTIAL, BUT IT WOULD HELP US IF THE CITATION FORMAT USED FOR THESE REFERENCE DOCUMENTS WAS MADE MORE CONSISTENT ACROSS EACH ENTRY — IT'S SOMEWHAT CONFUSION AS IS — AND MORE IMPORTANTLY IF REGION 2 COULD ADD A WORKING URL FOR EACH EPA DOCUMENT?]~~

Commented [SV3]: EPA is using model language and has added specific references at the end.

- (a) A Compendium of Superfund Field Operations Methods, OSWER 9355.0-14, EPA/540/P-87/001a (Aug. 1987).
- (b) CERCLA Compliance with Other Laws Manual, Part I: Interim Final, OSWER 9234.1-01, EPA/540/G-89/006 (Aug. 1988).
- (c) Guidance for Conducting Remedial Investigations and Feasibility Studies, OSWER 9355.3-01, EPA/540/G-89/004 (Oct. 1988).
- (d) CERCLA Compliance with Other Laws Manual, Part II, OSWER 9234.1-02, EPA/540/G-89/009 (Aug. 1989).
- (e) Guidance on EPA Oversight of Remedial Designs and Remedial Actions Performed by Potentially Responsible Parties, OSWER 9355.5-01, EPA/540/G-90/001 (Apr.1990).
- (f) Guidance on Expediting Remedial Design and Remedial Actions, OSWER 9355.5-02, EPA/540/G-90/006 (Aug. 1990).
- (g) Guide to Management of Investigation-Derived Wastes, OSWER 9345.3-03FS (Jan. 1992).
- (h) Permits and Permit Equivalency Processes for CERCLA On-Site Response Actions, OSWER 9355.7-03 (Feb. 1992).

- (i) Guidance for Conducting Treatability Studies under CERCLA, OSWER 9380.3-10, EPA/540/R-92/071A (Nov. 1992).
- (j) National Oil and Hazardous Substances Pollution Contingency Plan; Final Rule, 40 C.F.R. Part 300 (Oct. 1994).
- (k) Guidance for Scoping the Remedial Design, OSWER 9355.0-43, EPA/540/R-95/025 (Mar. 1995).
- (l) Remedial Design/Remedial Action Handbook, OSWER 9355.0-04B, EPA/540/R-95/059 (June 1995).
- (m) EPA Guidance for Data Quality Assessment, Practical Methods for Data Analysis, QA/G-9, EPA/600/R-96/084 (July 2000).
- (n) Comprehensive Five-year Review Guidance, OSWER 9355.7-03B-P, 540-R-01-007 (June 2001).
- (o) Guidance for Quality Assurance Project Plans, QA/G-5, EPA/240/R-02/009 (Dec. 2002).
- (p) Institutional Controls: Third Party Beneficiary Rights in Proprietary Controls (Apr. 2004).
- (q) Quality management systems for environmental information and technology programs -- Requirements with guidance for use, ASQ/ANSI E4:2014 (American Society for Quality, February 2014).
- (r) Uniform Federal Policy for Quality Assurance Project Plans, Parts 1-3, EPA/505/B-04/900A through 900C (Mar. 2005).
- (s) Superfund Community Involvement Handbook SEMS 100000070 (January 2016), [[HYPERLINK "https://www.epa.gov/superfund/community-involvement-tools-and-resources"](https://www.epa.gov/superfund/community-involvement-tools-and-resources)].
- (t) EPA Guidance on Systematic Planning Using the Data Quality Objectives Process, QA/G-4, EPA/240/B-06/001 (Feb. 2006).
- (u) EPA Requirements for Quality Assurance Project Plans, QA/R-5, EPA/240/B-01/003 (Mar. 2001, reissued May 2006).
- (v) EPA Requirements for Quality Management Plans, QA/R-2, EPA/240/B-01/002 (Mar. 2001, reissued May 2006).
- (w) USEPA Contract Laboratory Program Statement of Work for Inorganic Analysis, ILM05.4 (Dec. 2006).

- (x) USEPA Contract Laboratory Program Statement of Work for Organic Analysis, SOM01.2 (amended Apr. 2007).
- (y) EPA National Geospatial Data Policy, CIO Policy Transmittal 05-002 (Aug. 2008), [HYPERLINK "<https://www.epa.gov/geospatial/geospatial-policies-and-standards>"] and [HYPERLINK "<https://www.epa.gov/geospatial/epa-national-geospatial-data-policy>"].
- (z) Summary of Key Existing EPA CERCLA Policies for Groundwater Restoration, OSWER 9283.1-33 (June 2009).
- (aa) Principles for Greener Cleanups (Aug. 2009), [HYPERLINK "<https://www.epa.gov/greenercleanups/epa-principles-greener-cleanups>"].
- (bb) EPA Region 2 Clean and Green Policy, [HYPERLINK "<https://www.epa.gov/greenercleanups/epa-region-2-clean-and-green-policy>"].
- (cc) USEPA Contract Laboratory Program Statement of Work for Inorganic Superfund Methods (Multi-Media, Multi-Concentration), ISM01.2 (Jan. 2010).
- (dd) Close Out Procedures for National Priorities List Sites, OSWER 9320.2-22 (May 2011).
- (ee) Groundwater Road Map: Recommended Process for Restoring Contaminated Groundwater at Superfund Sites, OSWER 9283.1-34 (July 2011).
- (ff) Recommended Evaluation of Institutional Controls: Supplement to the “Comprehensive Five-Year Review Guidance,” OSWER 9355.7-18 (Sep. 2011).
- (gg) Construction Specifications Institute’s MasterFormat 2020 Edition, available from the Construction Specifications Institute, [HYPERLINK "<https://www.csinet.org/standards/masterformat>"].
- (hh) Updated Superfund Response and Settlement Approach for Sites Using the Superfund Alternative Approach, OSWER 9200.2-125 (Sep. 2012).
- (ii) Institutional Controls: A Guide to Planning, Implementing, Maintaining, and Enforcing Institutional Controls at Contaminated Sites, OSWER 9355.0-89, EPA/540/R-09/001 (Dec. 2012).
- (jj) Institutional Controls: A Guide to Preparing Institutional Controls Implementation and Assurance Plans at Contaminated Sites, OSWER 9200.0-77, EPA/540/R-09/02 (Dec. 2012).
- (kk) [HYPERLINK "http://www.epaossc.org/_HealthSafetyManual/manual-index.htm"], [HYPERLINK "http://www.epaossc.org/_HealthSafetyManual/emergency-responder-manual"]

directive-final.pdf"] (July 2005 and updates), [HYPERLINK
"http://www.epaossc.org/_HealthSafetyManual/manual-index.htm"].

- (ll) Broader Application of Remedial Design and Remedial Action Pilot Project Lessons Learned, OSWER 9200.2-129 (Feb. 2013).
- (mm) Guidance for Evaluating Completion of Groundwater Restoration Remedial Actions, OSWER 9355.0-129 (Nov. 2013).
- (nn) Groundwater Remedy Completion Strategy: Moving Forward with the End in Mind, OSWER 9200.2-144 (May 2014).
- (oo) Guidance for Management of Superfund Remedies in Post Construction, OLEM 9200.3-105 (Feb. 2017), [HYPERLINK
"https://www.epa.gov/superfund/superfund-post-construction-completion"]
- (pp) NYSDEC & USEPA Region 2. 2015. Record of Decision Operable Unit 2 of the General Motors - Inland Fisher Guide Subsite of the Onondaga Lake Superfund Site, Town of Salina, Onondaga County, New York. March.
- (qq) OBG. 2013. Off-Site Pre-Design Investigation Work Plan, Former IFG Facility and Deferred Media Site Work Plan. Syracuse, New York. Prepared for RACER Trust. July 3, 2013
- (rr) OBG. 2015. Former IFG Facility and Deferred Media Site (Registry #7-34-057) Off-Site (OU-2) Pre-Design Investigation Work Plan Addendum. Letter dated August 17, 2015.
- (ss) OBG. 2016a. Former IFG Facility and Deferred Media Site (Registry #7-34-057) Revised Off-Site (OU-2) Pre-Design Investigation Work Plan Addendum #2 – Additional Sampling. Letter dated July 15, 2016.
- (tt) OBG. 2016b. Remedial Design Work Plan; Former General Motors – Inland Fisher Guide Site Operable Unit 2. January 2016. Revised June 2016.
- (uu) OBG. 2017. Racer Trust Former IFG Facility. OU2 Ley Creek Remediation Design Package 2. Preliminary (50%) Design Report. Prepared for RACER Trust. July 18.
- (vv) RACER. 2018. Letter Re: Former General Motors - IFG Site – Additional Sampling Ley Creek Area (Operable Unit #2, Site No. 7-34-057). June 13, 2018.
- (ww) RACER. 2019. Letter Re: Former General Motors - IFG Site – Additional Sampling Ley Creek Area (Operable Unit #2, Site No. 7-34-057). August 9, 2019.
- (xx) USEPA. 2020. Lower Ley Creek Subsite and Ley Creek Deferred Media Portion of the General Motors – Inland Fisher Guide Subsite of the Onondaga Lake

Superfund Site. Remedial Design/Remedial Action Communications and Outreach Plan. City of Syracuse/Town Of Salina, NY. August 2020

8.2 A more complete list may be found on the following EPA Web pages:

Laws, Policy, and Guidance <https://www.epa.gov/superfund/superfund-policy-guidance-and-laws>

Test Methods Collections [HYPERLINK
"https://www.epa.gov/measurements/collection-methods"]

8.3 For any regulation or guidance referenced in the Settlement or SOW, the reference will be read to include any subsequent modification, amendment, or replacement of such regulation or guidance. Such modifications, amendments, or replacements apply to the Work only after Respondent receive notification from EPA of the modification, amendment, or replacement.